

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT NEW YORK-----
THE WAVE STUDIO, LLC,

Plaintiff,

7:15-cv-05392-CS

v.

UNITED AIRLINES, INC., Successor-In-
Interest to CONTINENTAL AIRLINES, INC., a
Delaware Corporation,

Defendants.

x

STIPULATION AND [PROPOSED] ORDER
TO CONSOLIDATE CASES AND EXTEND DEADLINE TO RESPOND TO
COMPLAINT

WHEREAS, on December 31, 2013, Plaintiff The Wave Studio, LLC ("Wave Studio") filed a Complaint against United Airlines, Inc. ("United"), among others, alleging United had infringed its copyrights in certain photographs, No. 7:13-cv-09239-CS ("GHM Action");

WHEREAS, on July 2, 2014, upon agreement of Wave Studio and defendant General Hotel Management Ltd. ("GHM"), the Court stayed the proceedings in the GHM Action as to all parties except Wave Studio and GHM. *See* GHM Action, No. 7:13-cv-09239-CS, Dkt. 67;

WHEREAS, on February 23, 2015, Wave Studio filed in this action a Complaint for Copyright Infringement against United in the United States District Court for the Northern District of California (the "California Action"). The Complaint alleges United is responsible for the infringement of some of the same photographs as those at issue in the GHM Action by Continental Airlines, Inc., which merged with United in March 2013;

WHEREAS, on July 8, 2015, pursuant to a stipulation between Wave Studio and United, the federal district court for the Northern District of California transferred the California Action to this Court;

WHEREAS, on July 14, 2015, this Court accepted this action as related to the GHM Action;

WHEREAS, United's deadline to respond to the complaint is August 3, 2015;

WHEREAS, the parties agree this action and GHM Action should be consolidated, but disagree whether this action should be stayed during the pendency of the stay already in place in the GHM Action; and

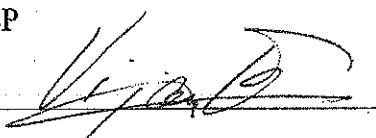
WHEREAS, United anticipates filing a pre-motion letter requesting leave to file a motion to stay this action during the pendency of the stay in place in the GHM Action, no later than July 31, 2015.

IT IS HEREBY STIPULATED AND AGREED, by and among the parties in the above-captioned action, through their undersigned counsel, that:

1. This action, No. 7:15-cv-05392-CS, shall be consolidated with the GHM Action, No. 7:13-cv-09239-CS; and
2. United's deadline to respond to the Complaint is continued from August 3, 2015, to 21 days after any order denying United's motion to stay or 21 days after the stay in the GHM Action is lifted, whichever is earlier.

Dated: July 30, 2015

COBALT LLP

By: 

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Attorneys for Plaintiff The Wave Studio, LLC

Dated: July 30, 2015

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Attorneys for Defendant United Airlines, Inc.

Pursuant to Section 8 of the Electronic Case Filing Rules & Instructions for the S.D.N.Y. all parties listed above have consented to the filing of this document for purposes of their signature.

SO ORDERED.

August 3, 2015
DATED: ~~July 30, 2015~~
New York, NY

Cathy Seibel
Cathy Seibel, United States District Judge